

**IN THE UNITED STATE DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AUTUMN SMITH, individually and on)
behalf of all similarly situated individuals,)
)
Plaintiff,)
) No. 2021-cv-06911
 v.)
) Hon. Joan H. Lefkow
EVIDENT ID, INC., a Delaware)
corporation)
)
Defendant.)

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL OF ACTION
PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(i)**

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff Autumn Smith (“Plaintiff”) hereby voluntarily dismisses this action without prejudice.

1. On June 21, 2021, Plaintiff filed her Class Action Complaint against Defendant Evident ID, Inc. (“Defendant”) in the Circuit Court of Cook County, IL. (Dkt. 1-1).

2. On December 29, 2021, Defendant removed this case to this Court. (Dkt. 1).

3. On January 5, 2022, Defendant filed a Motion to Dismiss. (Dkt. 7-8).

4. On January 26, 2022, Plaintiff filed her First Amended Class Action Complaint. (Dkt. 11).

5. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff may dismiss an action without court order by filing a notice of dismissal before the defendant serves either an answer or motion for summary judgment. Defendant has neither answered Plaintiff’s First Amended Class Action Complaint nor served a motion for summary judgment.

6. Accordingly, Plaintiff hereby voluntarily dismisses this action without prejudice as to all claims asserted by Plaintiff and the putative class.

Dated: March 9, 2022

Respectfully submitted,

AUTUMN SMITH, individually and on
behalf of all similarly situated individuals

By: /s/ David L. Gerbie
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2022, I caused the foregoing *Plaintiff's Notice of Voluntary Dismissal of Action Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i)* to be electronically filed with the Clerk of Court using the CM/ECF system. A copy of said document will be electronically transmitted to all counsel of record.

/s/ David L. Gerbie